

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DENNIS F., et al.,
Plaintiffs,
v.

AETNA LIFE INSURANCE COMPANY,
Defendant.

And Related Cases

Case No. [12-cv-02819-MMC](#)

**ORDER GRANTING IN PART AND
DEFERRING RULING IN PART ON
PARTIES' JOINT ADMINISTRATIVE
MOTION AND STIPULATION TO FILE
UNDER SEAL; DIRECTIONS TO
PARTIES**

Re: Dkt. No. 204

Before the Court are a Joint Administrative Motion and Joint Stipulation, both filed November 14, 2016, by which the parties seek leave to file under seal a USB drive containing material that, according to the parties, comprises the full scope of evidence relevant to the above-titled action.

A sealing order “may issue only upon a request that establishes that the document, or portions thereof, is privileged or protectable as a trade secret or otherwise entitled to protection under the law”. See Civil L.R. 79-5(b). The request “must be narrowly tailored to seek sealing only of sealable material.” See id.

Here, the parties assert, the requested sealing is appropriate because the USB drive contains “highly sensitive mental health information that is individually identifiable” and “confidential commercial information.” (See Mot. at 1:12-14). Additionally, the parties agree that “some documents contained [therein] . . . do not contain [c]onfidential information,” and have filed the documents in the public record as exhibits to their Stipulation. (See Joint Stip., at 3:19-22, Exs. A-W.)

Other documents, however, namely Bates numbers AET-DEF-000869 through

1 AET-DEF-000870, AET-DEF-001186 through AET-DEF-001193, AET-DEF-021412
2 through AET-DEF-021420, AET-DF-023341 through AET-DEF-023344, and AET-DF-
3 045331 through AET-DEF-045338, appear to be similar in content to the above-
4 referenced concededly non-confidential documents and, consequently, likewise appear
5 appropriate for filing in the public record.

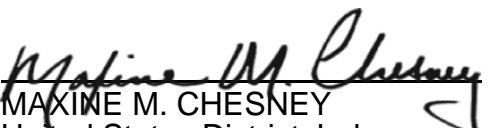
6 To the extent any party seeks an order sealing one or more of the above-listed
7 documents, such party is hereby DIRECTED to file, no later than July 20, 2017, a
8 declaration establishing a cognizable basis for sealing; as to these documents, the Court
9 hereby DEFERS ruling pending such filing.

10 To the extent the parties seek an order sealing the remainder of the documents
11 contained in the USB drive, the Court finds the parties have made the requisite showing;
12 as to these documents, the motion is hereby GRANTED.

13 Accordingly, the USB drive and its contents shall remain filed under seal, and the
14 Court will determine whether, in addition to the documents identified by the parties as
15 non-confidential, other documents contained therein shall no longer remain under seal.

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17 **IT IS SO ORDERED.**

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19 Dated: July 13, 2017

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21 MAXINE M. CHESNEY
22 United States District Judge
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